

Terrence Adams #229165
Lieber
P.O. BOX 205
Ridgenville, SC 29472
April 28, 2023

South Carolina Supreme Court
Post Office Box 11330
Columbia, South Carolina 29211

RE: The APPEAL Filed RECEIVED February 21, 2023

Dear Hon. Justice,

The Appellant is currently incarcerated for Burglary in the First Degree and is innocent of this offense in Section 17-28-30 MAY APPLY FOR FORENSIC TESTING OF ANY PHYSICAL EVIDENCE OR BIOLOGICAL MATERIAL. See, 17-28-20 (9)

The Appellant Application the "ACCESS to Justice Post-Conviction DNA Testing Act" was filed on MAY 31st 2016, the order of DISMISSAL by Judge Benjamin denying Appellant Application for Post-Conviction DNA Testing was filed with the Richland County Clerk of Court on January 20, 2023. But, however, the Law in Section 17-28-90 (A) clearly express the Application must be heard before a Judge, and, a record of this proceedings must be ~~preserved~~. The Trial Judge erred in accepting the Attorney's of Record written stipulation that Appellant have two prior convictions for Burglary in the First Degree. ~~Appellant~~ objects. See, Tr. P. 297-299, further, before imposing sentence the Court must address Appellant personally in order to permit him to speak or present any information to mitigate this conviction or sentence. See, Fed. R. Crim. P. Rule 32 (4) (A) (ii).

See, April 10, 2023 Letter.

By Terrence Adams, #229165
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